

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RANDY L. MARTINEZ,

Plaintiff,

vs.

No. CIV 10-00652 JCH/WDS

**OFFICER MARVIN LUJAN and
NEW MEXICO DEPARTMENT OF PUBLIC SAFETY**

Defendants.

**ORDER GRANTING IN PART MOTION FOR APPROVAL
OF NOTICE TO CLASS MEMBERS**

THIS MATTER is before the Court on Defendants' Motion to Compel Initial Disclosures (Document #20) and Defendant's Motion to Compel Plaintiff to Answer Discovery Requests (Document #21). Plaintiff has not filed opposition to either motion and the time in which to do so has expired. Therefore, the Court deems the motions unopposed. The Court finds that both motions are well taken and should be granted.

IT IS THEREFORE ORDERED that Defendant's Motion to Compel Initial Disclosures (Document #20) and Defendant's Motion to Compel Plaintiff to Answer Discovery Requests (Document #21) are hereby granted. Plaintiff is directed to serve his Rule 26 initial disclosures and answers to Defendants' discovery requests by October 23, 2010. If the disclosures and answers to discovery are not served by that date, Plaintiff's Complaint is subject to dismissal. The Court reserves judgment on the remaining relief sought by Defendants.



**W. DANIEL SCHNEIDER
UNITED STATES MAGISTRATE JUDGE**